

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Monte Dexter Pepper,)	
)	Opinion and Order
Plaintiff,)	
vs)	Civil Action No. 6:10-2532-MGL
)	
Precision Valve Corporation,)	
)	
Defendant,)	
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This matter is before the Court pursuant to a Report and Recommendation of United States Magistrate Judge Kevin F. McDonald to whom it was referred for review under 28 U.S.C. § 636(b) and Local Rule 73.02 D.S.C. The action was commenced by Plaintiff Monte Dexter Pepper on September 28, 2010 against his former employer Precision Valve Corporation (“Defendant”), alleging *inter alia* claims of race discrimination, retaliation, race harassment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., as amended 42 U.S.C. § 1981 (“Title VII”) and the South Carolina Human Affairs Law, S.C. Code Ann. §§ 1–13–20 & 1–13–80(a) (1) (“SCHAL”). (ECF No. 1.) Defendant denies Plaintiff’s allegations and moves for summary judgment.

On April 16, 2012, the Magistrate Judge issued a Report and Recommendation recommending the Court grant Defendant’s motion for summary judgment. (ECF No 65.) Plaintiff filed timely objections to the Report and Recommendation. (ECF No.66.) Plaintiff argues *inter alia* that genuine issues of fact exist such that this case should be decided by a jury. The Court held a hearing on Plaintiff’s objections on October 2, 2012 and took the matter under advisement.

Upon thorough consideration of the pleading, the evidence of record, the Report of the Magistrate Judge, Plaintiff's Objections, and the arguments thereon, the Court accepts the Magistrate Judge's recommendation that Plaintiff failed to prove a prima facie case of racial discrimination or a prima facie case of retaliation. Likewise, the Court accepts the Magistrate Judge's recommendation that Plaintiff failed to set forth facts to prove race harassment. The Court is convinced that the material facts are such that no reasonable jury could return a verdict in favor of Plaintiff. Accordingly, the Magistrate Judge's Report is accepted and adopted. For the reasons stated by the Magistrate Judge, Defendant's motion for summary judgment is GRANTED.

It is so ORDERED.

/s/ Mary G. Lewis
United States District Judge

October 31, 2012
Spartanburg, South Carolina